

1 [Preparation of Findings to Reverse the Community Plan Evaluation - 350-352 San Jose  
2 Avenue]

3 **Motion directing the Clerk of the Board to prepare findings reversing a Community Plan**  
4 **Evaluation determination by the Planning Department that a proposed project at 350-**  
5 **352 San Jose Avenue is exempt from further environmental review under a Community**  
6 **Plan Evaluation.**

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8 WHEREAS, On September 23, 2020, the Planning Department issued a Community  
9 Plan Evaluation and an Initial Study (“environmental determination”), pursuant to California  
10 Environmental Quality Act (“CEQA”), the CEQA Guidelines, 14 Cal. Code of Reg. sections  
11 15000 et seq., and Chapter 31 of the San Francisco Administrative Code, finding that the  
12 proposed project at 350-352 San Jose Avenue (“Project”) is consistent with the development  
13 density established by zoning, community plan, and general plan policies in the Eastern  
14 Neighborhoods Rezoning and Area Plans (the “Area Plan”) for the project site, for which a  
15 Programmatic Environmental Impact Report (the “PEIR”) was certified; and

16 WHEREAS, The approximately 7,150-square-foot project site is located on the west  
17 side of San Jose Avenue, on the block bounded by 25th Street to the north, Valencia Street to  
18 the east, Guerrero Street to the west, and 26th Street to the south, in the Mission  
19 neighborhood; the existing on-site building is an approximately 3,560-square-foot,  
20 approximately 34-foot-tall, two-story-over-basement residential building constructed circa  
21 1875; the existing building contains four dwelling units and is set back 40 feet from the front  
22 property line; and

23 WHEREAS, The Project would move the existing on-site building 23 feet eastward on  
24 the lot (toward the San Jose Avenue frontage), reducing the front set back from approximately  
25 40 feet to approximately 17 feet; the Project would also include horizontal and vertical

1 additions to the building that would increase the residential square footage by approximately  
2 8,670 square feet to a new total of approximately 12,235 square feet; one vertical floor would  
3 be added to the building, with a resulting height of 40 feet, with an additional 3 feet to the top  
4 of the rooftop mechanical features; the proposed vertical addition is within the existing 40-X  
5 height limit allowed on the site; eight dwelling units would be added to the building - at the  
6 basement, first, second, and third floors, for a total of 12 dwelling units and an accessory  
7 dwelling unit (“ADU”); the ADU unit would be added on the basement level. The final unit mix  
8 would be six one-bedroom units, six two-bedroom units, and one two-bedroom ADU; the  
9 existing curb cut would be removed and a new 10-foot curb cut would be installed in the same  
10 location; the Project would not include any off-street vehicle parking; space for 10 Class 1  
11 bicycle spaces would be provided in the rear yard; and

12 WHEREAS, On December 10, 2019, a request for Discretionary Review (“DR”) was  
13 filed; subsequent DRs were filed and the project sponsor entered into negotiations with the  
14 DR filers; these negotiations led to changes in the Project, which are reflected in a September  
15 17, 2020, plan set; and

16 WHEREAS, The Planning Commission considered the Project on September 24, 2020,  
17 and took discretionary review for the Project by Planning Commission Discretionary Review  
18 Action DRA-722, which constituted the approval action under Chapter 31 of the Administrative  
19 Code; and

20 WHEREAS, On October 26, 2020, Stephen M. Williams, on behalf of Elisabeth Kranier,  
21 filed an appeal of the Environmental determination; and

22 WHEREAS, The Planning Department’s Environmental Review Officer, by  
23 memorandum to the Clerk of the Board dated November 2, 2020, determined that the appeal  
24 had been timely filed; and

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1           WHEREAS, On December 8, 2020, this Board held a duly noticed public hearing to  
2 consider the appeal of the environmental determination filed by Appellants and, following the  
3 public hearing, affirmed the Environmental determination; and

4           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
5 conditionally reversed the determination that the Project did not require further environmental  
6 review subject to the adoption of written findings of the Board in support of such determination  
7 based on the written record before the Board of Supervisors as well as all of the testimony at  
8 the public hearing in support of and opposed to the appeal; and

9           WHEREAS, The written record and oral testimony in support of and opposed to the  
10 appeal and deliberation of the oral and written testimony at the public hearing before the  
11 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
12 the environmental determination is in the Clerk of the Board of Supervisors File No. 201248  
13 and is incorporated in this motion as though set forth in its entirety; now therefore be it

14           MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the  
15 findings specifying the basis for its decision on the appeal of the environmental determination  
16 issued by the Planning Department for the Project.

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